Complaint Reported

OPA receives a complaint of potential misconduct involving an SPD Employee from the public or a SPD employee as an internal referral.

Confirmation of receipt sent to Complainant.



Intake

OPA processes the complaint in intake and a preliminary investigation is conducted.

Allegations of potential policy violations are identified.

Within 5 days, notification is sent to the Named Employee, Supervisor and Bargaining Unit.



Review and Classification

OPA Director and Auditor ensure all allegations are noted and assess whether an administrative investigation, a referral to supervisor, mediation or criminal investigation is most appropriate. OPA Director then issues final classification.

Notice of Classification is sent to Complainant.





Within 30 days of receipt of complaint, notice of classification is sent to the Employee, Supervisor & Bargaining Unit.

Administrative Investigation

For complaints where it appears there may be misconduct.

Supervisor Action

For complaints where the OPA Director determines that a case can be most effectively handled by a Supervisor.





<u>Investigation is Complete</u>

OPA Director and Auditor certify the investigation as complete.

OPA Director makes a recommended finding on each allegation and issues a Director's Certification Memorandum (DCM).



Complainant is notified when investigation has been certified and recommended findings have been made.



OPA sends the DCM with recommended findings to the Chain of Command (COC) and the Chief of Police. The COC has ten days to submit comments to the OPA Director for consideration.

OPA sends a Memorandum to the Supervisor, which includes specific actions that must be taken to address the issue with the employee.



Within 30 days, the Supervisor takes recommended action and sends a report to the OPA.



Complainant is notified of outcome and resolution.

If Sustained Findings



Discipline Meeting

A Discipline Meeting is held with OPA, the Employee's Chain of Command and SPD's Legal Advisor. During the meeting, the OPA investigation is summarized by OPA and the OPA Director's recommended findings and discipline are discussed. The employee's Chain of Command provides concurring and/or dissenting finding recommendations, along with suggested discipline, to the Chief.



If No Sustained Findings

Case Closure

OPA closes the case and issues a Case Completion Memorandum, which lists the original allegations, recommended findings, the final findings made by the Chief and any discipline imposed.

OPA creates a Case Summary Report which includes the original allegations, summary of the complaint and investigation and final findings made by the Chief. This Case Summary Report is posted on OPA's website.



Loudermill Hearing (Optional)

If the discipline includes suspension, demotion, or termination, the Employee has the right to meet with the Chief of Police to provide additional information to be considered.

The Employee typically brings a union representative, an attorney or another SPD Employee. Additional attendees are generally: Chief of Police, Assistant Chief, the Employee's Chain of Command, the OPA Director and the Chief's Legal Advisor.



Final Decision

Chief of Police makes the final decision on findings and determines the discipline to be imposed for any Sustained Allegation. A Final Discipline Action Report is issued.



Case Closure

OPA Director closes the case and issues a Case Completion Memorandum, which lists the original allegations, recommended findings, the final findings made by the Chief and discipline if imposed.

OPA creates a Case Summary Report which includes the original allegations, summary of the complaint and investigation, final findings made by the Chief and discipline if imposed. This Case Summary Report is posted on OPA's website.



Complainant and employee are notified of the case closure, findings, and appeal processes available.

Appeal

The Complainant may appeal to the OPA Director.

The Employee may appeal any disciplinary decision involving suspension, demotion or termination to the Public Safety Civil Service Commission (PSCSC) or the Disciplinary Review Board.

<u>Grievance</u>

The Employee's Bargaining Unit may assert a claim of unfair practice or violation of the Labor Agreement as a result of the discipline and may challenge disciplinary decisions that are not suspensions, demotions, terminations or disciplinary transfers.



If the Employee appeals or if a grievance is filed, the Complainant is notified of the appeal or filing, and subsequently of the outcome of the appeal or grievance.